



Agenda Date: 1/20/10

Agenda Item: 2D

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu

ENERGY

IN THE MATTER OF THE PROVISION OF BASIC	)	DECISION AND ORDER
GENERATION SERVICE AND COMPLIANCE TARIFF	)	APPROVING THE PASS-
FILING REFLECTING CHANGES TO SCHEDULE 12	)	THROUGH OF FERC
CHARGES IN PJM OPEN ACCESS TRANSMISSION	)	AUTHORIZED CHANGES IN FIRM
TARIFF	)	TRANSMISSION
	)	SERVICE RELATED
	)	CHARGES --ACE, JCP&L, AND
	)	RECO DECEMBER 11, 2009
	)	FILING
	)	
	)	BPU Docket No. ER09120995

(SERVICE LIST ATTACHED)

APPEARANCES:

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John L. Carley, Consolidated Edison Co. of NY, for Joint Petitioner, Rockland Electric Company

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Alex Moreau, Deputy Attorney General, for the Staff of the New Jersey Board of Public Utilities (Anne Milgram, Attorney General of New Jersey)

BY THE BOARD:

On December 11, 2009, Atlantic City Electric Company ("ACE"), Jersey Central Power and Light Company ("JCP&L"), and Rockland Electric Company ("RECO") (collectively, the "EDCs") filed a joint petition with the New Jersey Board of Public Utilities ("Board") requesting recovery of

Federal Energy Regulatory Commission ("FERC") approved changes in firm transmission service related charges.

The EDCs proposed tariff changes reflect decreases to the Basic Generation Service ("BGS") Fixed Price ("BGS-FP") and Commercial and Industrial Energy Pricing ("BGS-CIEP") rates to customers resulting from changes in the PJM Open Access Transmission Tariff ("OATT") made in response to a revised formula rate filing by Potomac-Appalachian Transmission Highline, L.L.C. ("PATH") in FERC Docket No. ER08-386, a revised formula rate filing by Virginia Electric and Power Company ("VEPCo") in FERC Docket Nos. ER10-068, and a revised formula rate filing made by Public Service Electric and Gas Company ("PSE&G") in connection with FERC Docket No. ER09-1257. The EDCs requested that the changes become effective on January 1, 2010.

ACE, JCP&L, and RECO are also requesting that the BGS suppliers be appropriately compensated for this change, subject to the terms and conditions of the applicable Supplier Master Agreements ("SMAs"). Any difference between the payments to BGS suppliers and charges to customers would flow through the BGS Reconciliation Charges.

The EDCs stated that this filing satisfies the requirements of paragraph 15.9(a) (i) and (ii) of the BGS-FP and BGS-CIEP SMAs, which mandate that BGS-FP and BGS-CIEP suppliers be notified of rate changes for firm transmission service, and that the EDCs file for and obtain Board approval of changes in retail rates commensurate with the FERC-implemented rate changes.

The specific Schedule 12 charges, referred to as Transmission Enhancement Charges ("TECs"), were implemented to compensate transmission owners for the annual transmission revenue requirements for "Required Transmission Enhancements" (as defined in the PJM OATT) that are requested by PJM for reliability or economic purposes. The costs of TECs are recovered by PJM according to an assigned cost responsibility through an additional transmission charge assessed in the affected transmission zones.

On February 28, 2008, FERC approved the PATH filings and accepted the tariffs for filing. On April 16, 2008, the EDCs, along with PSE&G, filed a joint petition with the Board requesting recovery of the allocated PATH firm transmission service related charges. On April 29, 2008, FERC approved the VEPCo Filings and accepted for filing, effective January 1, 2008, VEPCo's revised tariff sheets to the PJM OATT. On June 16, 2008, the EDCs, along with PSE&G, filed a joint petition requesting recovery of the allocated VEPCo firm transmission service related charges. By Board Order dated September 15, 2008, the EDCs received approval from the Board to begin allocating TECs related to the VEPCo and PATH projects.¹ Pursuant to FERC's Order, VEPCo and PATH submitted their formula rate update compliance filings with FERC on or about October 15, 2009, in FERC Docket Nos. ER10-068 and ER08-386, respectively.

¹ In the Matter of the Provision of Basic Generation Service for Year Two of the Post-Transition Period and In the Matter of the Provision of Basic Generation Service for Year Three of the Post Transition Period and In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2006 and In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2007, BPU Docket Nos. E003050394, E004040288, E005040317, and E006020119, Order dated September 12, 2008.

On September 30, 2008, FERC approved PSE&G's filing to substitute a formula rate for its stated rates for Network Integration Transmission Services ("NITS") and Point-to-Point transmission service ("PSE&G Project"). The PSE&G formula rate also incorporates a number of transmission enhancement projects that are included in the OATT Schedule 12. FERC accepted the formula rate proposed by PSE&G, effective October 1, 2008. On October 15, 2008, PSE&G filed its updated formula rate with the FERC. On November 14, 2008, PSE&G filed with the Board to recover the FERC-approved formula rates applicable to PSE&G customers. On December 18, 2008, the Board authorized PSE&G to begin recovering TECs related to the PSE&G Project from its customers.² On October 7, 2009, PSE&G made a compliance filing with FERC in Docket No. ER09-1257.

Each EDC is allocated a different amount of TECs from PJM based on the cost for Required Transmission Enhancements in each EDC's transmission zone. Based on the allocation of the updated VEPCo, PATH, and PSE&G transmission costs, as among the service classes in accordance with each EDC's tariff with a January 1, 2010 effective date as requested by the EDCs, a residential customer would see the following BGS rate decrease per utility (including Sales and Use Tax ("SUT")): ACE \$0.000053 per kWh; JCP&L \$0.000218 per kWh; and RECO \$0.00005 per kWh.

DISCUSSION AND FINDINGS

In the Board's Order dated December 2, 2003, in Docket No. EO03050394, the Board found that the pass through of any changes in the NITS charge, and other charges associated with the FERC-approved Open Access Transmission Tariff is appropriate. Furthermore, by subsequent Orders, the Board approved Section 15.9 of the SMAs as filed by the EDCs which requires that the EDCs file for Board approval of any changes or decreases in their transmission charges that have been approved by the FERC. The SMAs also authorize the EDCs to change or decrease the rates paid to suppliers for FERC-approved rates and changes to Firm Transmission Services once approved by the Board. The Board Orders further required that the EDCs review and verify the requested FERC authorized changes.

After review of the verifications and supporting documentation, the Board **HEREBY APPROVES** the decrease to the BGS-FP and BGS-CIEP rates requested by the EDCs for transmission charges resulting from the FERC-approved changes to the TECs effective for service on or after February 1, 2010. The annual impact on a typical residential customer using 700 kWh per month would be a decrease of \$0.36 for ACE; \$1.80 for JCP&L; and \$0.48 for RECO. The EDCs are **HEREBY ORDERED** to appropriately compensate the BGS suppliers for this transmission rate change subject to the terms and conditions of the SMAs.

² In the Matter of the Provision of Basic Generation Service for Year Two of the Post Transition Period and In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2006 and In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2007 and In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2008- PSE&G November 14, 2008 Filing. BPU Docket Nos. EO03050394, EO05040317, EO06020119, and ER07060379, Order dated December 18, 2008.

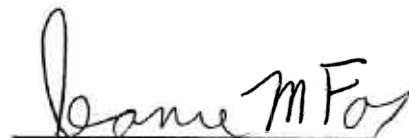
Further, the Board HEREBY DIRECTS the EDCs to file tariffs and rates consistent with the Board's findings within five (5) business days of this Board Order.

DATED: 1/21/10

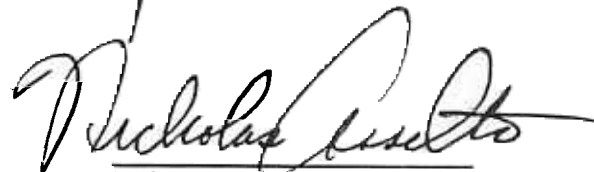
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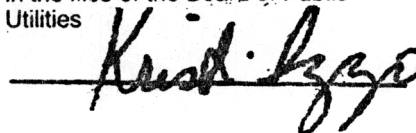

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ATTEST:


CARMEN DIAZ
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I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



IMO the Provision of Basic Generation Service and the Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges
in PJM Open Access Transmission Tariff- December 11, 2009 EDC Filing

BPU Docket No. ER09120995

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Charges in PJM Open Access Transmission Tariff- December 11, 2009 EDC Filing
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